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**PRELIMINARY DRAFT**  
**No. 3351**

**PREPARED BY**  
**LEGISLATIVE SERVICES AGENCY**  
**2011 GENERAL ASSEMBLY**

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**DIGEST**

**Citations Affected:** IC 12-15-44.2.

**Synopsis:** Indiana check-up plan. Specifies that interest accrued from investments of funds in the Indiana check-up plan trust fund must be transferred into the fund before June 30 of each year and that the interest does not revert to the state general fund. Requires the office of Medicaid policy and planning to post specified information on the Indiana check-up plan's web site before the office may stop enrollment in the plan or place applicants on a waiting list for the plan.

**Effective:** Upon passage.



A BILL FOR AN ACT to amend the Indiana Code concerning  
medicaid.

*Be it enacted by the General Assembly of the State of Indiana:*

SECTION 1. IC 12-15-44.2-17, AS ADDED BY P.L.3-2008,  
SECTION 98, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
UPON PASSAGE]: Sec. 17. (a) The Indiana check-up plan trust fund  
is established for the following purposes:

(1) Administering a plan created by the general assembly to  
provide health insurance coverage for low income residents of  
Indiana under this chapter.

(2) Providing copayments, preventative care services, and  
premiums for individuals enrolled in the plan.

(3) Funding tobacco use prevention and cessation programs,  
childhood immunization programs, and other health care  
initiatives designed to promote the general health and well being  
of Indiana residents.

The fund is separate from the state general fund.

(b) The fund shall be administered by the office of the secretary of  
family and social services.

(c) The expenses of administering the fund shall be paid from  
money in the fund.

(d) The fund shall consist of the following:

(1) Cigarette tax revenues designated by the general assembly to  
be part of the fund.

(2) Other funds designated by the general assembly to be part of  
the fund.

(3) Federal funds available for the purposes of the fund.

(4) Gifts or donations to the fund.

**(5) Interest from investments made under subsection (e).**

(e) The treasurer of state shall invest the money in the fund not  
currently needed to meet the obligations of the fund in the same  
manner as other public money may be invested. **The interest accrued  
from investments under this subsection:**

**(1) shall be deposited by the treasurer of state in the fund not**



1 **later than June 30 of each year; and**

2 **(2) does not revert to the state general fund.**

3 (f) Money must be appropriated before funds are available for use.

4 (g) Money in the fund does not revert to the state general fund at the  
5 end of any fiscal year.

6 (h) The fund is considered a trust fund for purposes of IC 4-9.1-1-7.  
7 Money may not be transferred, assigned, or otherwise removed from  
8 the fund by the state board of finance, the budget agency, or any other  
9 state agency.

10 SECTION 2. IC 12-15-44.2-18.5 IS ADDED TO THE INDIANA  
11 CODE AS A **NEW** SECTION TO READ AS FOLLOWS  
12 [EFFECTIVE UPON PASSAGE]: **Sec. 18.5. Before the office may**  
13 **stop enrolling applicants in the plan or place applicants on a**  
14 **waiting list for the plan, the office shall include the following on the**  
15 **plan's web site:**

16 **(1) A written statement that the office:**

17 **(A) has stopped enrolling applicants in the plan; or**

18 **(B) is placing applicants on a waiting list for the plan.**

19 **(2) If the office is placing applicants on a waiting list for the**  
20 **plan, a description of the category of applicants that are being**  
21 **placed on the waiting list.**

22 **(3) Either of the following:**

23 **(A) The document from the governor that directs the office**  
24 **to stop enrolling applicants in the plan or to place**  
25 **applicants on a waiting list for the plan.**

26 **(B) If a document described in clause (A) does not exist, a**  
27 **statement:**

28 **(i) that the governor has stopped enrollment in the plan**  
29 **or has directed the office to place applicants on a waiting**  
30 **list for the plan; and**

31 **(ii) that a document described in clause (A) does not**  
32 **exist.**

33 **SECTION 3. An emergency is declared for this act.**

